



GAS UTILITIES INFORMATION BULLETIN

No. 1124

Wayne Christian, Chairman

Christi Craddick, Commissioner

Ryan Sitton, Commissioner

JANUARY 31, 2020
OVERSIGHT AND SAFETY DIVISION
Kari French, Director

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SECTION 1: NEW APPEALS AND APPLICATIONS FILED

DOCKET NO.: 10932
CAPTION Inquiry into the Failure of Textran Pipeline, LLC to Comply with Safety Standards.
DATE FILED -- 01/23/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10933
CAPTION Inquiry into the Failure of CPS Energy to Comply with Safety Standards.
DATE FILED -- 01/23/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10934
CAPTION Inquiry into the Failure of Plains Pipeline L.P. to Comply with Safety Standards.
DATE FILED -- 01/23/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10935
CAPTION Inquiry into the Failure of Sterling Expl. & Prod. Co., LLC to Comply with Safety Standards.
DATE FILED -- 01/23/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10936
CAPTION Inquiry into the Failure of Galveston Bay Pipeline Company to Comply with Safety Standards.
DATE FILED -- 01/23/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10937
CAPTION Rate Case Expense Severed from GUD No. 10920, consolidated, Statement of Intent filed by CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas, to Increase Rates in the Beaumont/East Texas Division

DATE FILED -- 01/24/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10938
CAPTION Rate Case Expenses severed from GUD No. 10928, Statement of Intent of Texas Gas Services Company, a Division of ONE Gas, Inc. ("TGS") to Change Gas Utility Rates Within the Unincorporated Areas of the Central Texas Service Area and Gulf Coast Service Area

DATE FILED -- 01/27/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10939
CAPTION Inquiry into the Failure of Flint Hills Resources, LC to Comply with Safety Standards.

DATE FILED -- 01/28/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

DOCKET NO.: 10940
CAPTION Inquiry into the Failure of Delek Crude Logistics, LLC to Comply with Safety Standards.

DATE FILED -- 01/28/2020
FILED BY -- Commission's Own Motion
EXAMINER --
TECHNICAL --

**SECTION 2: APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING
CONFERENCE**

[Office of General Counsel Weekly Hearing Schedules for 2020](#)

**THE RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

STATEMENT OF INTENT FILED BY NATGAS, INC., TO INCREASE RATES IN AND AROUND THE UNINCORPORATED COMMUNITY OF OZONA, TEXAS	§ § § § §	GAS UTILITIES DOCKET NO. 10899
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NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On September 27, 2019, Nat Gas, Inc., filed with the Commission a statement of intent to increase rates in and around the unincorporated community of Ozona, Texas (the "SOI"). The SOI was docketed as GUD No. 10899. As part of its rate filing, NatGas requests that the Commission: (1) provide NatGas with a fair and reasonable return upon its invested capital used and useful in providing natural gas service and (2) authorize NatGas to recover all reasonable rate case expenses incurred in connection with its SOI through an addition to the approved surcharge amount.

On October 22, 2019, the Commission suspended the effective date for NatGas' rate change for 150 days, pursuant to Section 104.107 (Rate Suspension; Deadline) of the Gas Utility Regulatory Act ("GURA") of the Texas Utilities Code.

On January 23, 2020, the parties notified the presiding Administrative Law Judge ("ALJ") and Technical Examiners that a settlement had been reached.

Parties. Participating parties in this docket include NatGas (Applicant) and Staff of the Railroad Commission (Intervenor).

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in—or relevant to—NatGas' requested relief. The scope of the hearing may be limited to the parties' settlement.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over NatGas and the matters at issue in this proceeding pursuant to GURA Sections 102.001 (Railroad Commission Jurisdiction), 103.003 (Surrender of Municipal Jurisdiction to Railroad Commission; Reinstatement of Jurisdiction), 103.051 (Appeal by Party), 103.052 (Appeal by Residents), 103.053 (Appeal by Ratepayers Outside Municipality), and 104.001 (Authorization to Establish and Regulate Rates), and pursuant to GURA Sections 121.051 (Gas Utility: Public Interest

and Jurisdiction of Railroad Commission), 121.052 (Pipelines: Monopolies Subject to Railroad Commission), and 121.151 (Railroad Commission Regulation of Gas Pipelines).

The presiding ALJ shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, and other applicable authority.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include, but are not limited to, the following:

1. All sections in GURA Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines); and
2. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

Time, Place, and Nature of Hearing. **IT IS DIRECTED** that the hearing on the merits shall commence at **9:30 a.m. on Wednesday, February 26, 2020** in the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services (Room 12-123) the morning of the hearing for the room location. If the hearing is not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

IT IS FURTHER DIRECTED that all parties desiring to present sworn testimony, documentary and demonstrative evidence, and argument regarding any issue of law or fact at the final hearing on the merits shall appear in person or by an attorney. For good cause shown, the ALJ may permit part of the proceeding to be conducted telephonically pursuant to Commission Rule § 1.112 (Proceedings by Telephony).

Written Transcript of the Hearing. The record of the hearing will be made *by recording device or by stenographic transcription by the court reporter*. Any party that desires a written transcription of the hearing should contact the court reporter at (512) 282-0313. The Commission may assess the cost of the transcript or expedited transcript to one or more parties pursuant to Section 2001.059 (Transcript) of the Texas Government Code.

Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources

Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information – *In accordance with Tex. Gov't Code §2001.061 and 16 Tex. Admin. Code § 1.6, ex parte communications with the Administrative Law Judges, Examiners, and Commissioners are prohibited. Any persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Austin, Texas 78711-2967. Any persons or entities having clerical questions, such as questions regarding the number of copies of filings, the service list, or reviewing the record, may contact Docket Services at (512) 463-6848.*

Signed on January 27, 2020.

DEE MARLO CHICO
ADMINISTRATIVE LAW JUDGE

**THE RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

**STATEMENT OF INTENT FILED BY §
CENTERPOINT ENERGY RESOURCES §
CORP., D/B/A CENTERPOINT ENERGY §
ENTEX AND CENTERPOINT ENERGY §
TEXAS GAS, TO INCREASE RATES IN §
THE BEAUMONT/EAST TEXAS DIVISION §**

**GAS UTILITIES DOCKET
NO. 10920, *CONSOLIDATED***

NOTICE OF HEARING

Summary of the Proceeding and Factual Matters Asserted. On November 14, 2019, CenterPoint Energy Resources Corp., d/b/a/ CenterPoint Energy Entex and CenterPoint Energy Texas Gas (“CenterPoint”), filed with the Commission a statement of intent to increase gas utility rates within the incorporated and unincorporated areas in the Beaumont/East Texas Division (the “SOI”). The SOI was docketed as GUD No. 10920. As part of its rate filing, CenterPoint requested that the Commission: (1) establish new rates for the Beaumont/East Texas Division; (2) authorize a Safety and System Integrity Deferred Regulatory Asset; (3) approve the prudence of capital investment made in the Beaumont/East Texas Division since the last rate case through September 30, 2019; (4) approve new depreciation rates; (5) approve a surcharge to collect Hurricane Harvey related costs; (6) approve CenterPoint’s proposal to refund unprotected Excess Deferred Income Taxes resulting from the Tax Cuts and Jobs Act of 2017; (7) consolidate CenterPoint’s Beaumont, East Texas, Tyler, and North East Purchase Gas Adjustment (“PGA”) tariffs into a single PGA area – the Beaumont/East Texas Division; and (8) grant CenterPoint any further relief to which it may be entitled.

Contemporaneously with its SOI, CenterPoint filed statements of intent to increase rates with the municipalities retaining original jurisdiction in the Beaumont/East Texas Division (together with the SOI, and to the extent the Commission acquires jurisdiction over these actions, the “Consolidated Requested Relief”).

Following the denial by municipalities of the SOI, CenterPoint appealed to the Commission and timely filed three related petitions for *De Novo* review, which were docketed as follows: (1) GUD No. 10925, an appeal from the actions of the cities of Union Grove, Bevil Oaks, Bridge City, Leary, Riverside, and Clarksville City filed on December 16, 2019. (2) GUD No. 10926, an appeal from the actions of the cities of Bloomburg, Fruitvale, Grand Saline, Rose Hill Acres, and Van filed on December 18, 2019. (3) GUD No. 10927, an appeal from the actions of the cities of Jefferson, Rusk, Tatum, Waskom, Linden, and Winfield filed on December 19, 2019. On December 30, 2019, the municipal appeals (GUD Nos. 10925, 10926, and 10927) were consolidated in their entirety with GUD No. 10920 (the SOI docket).

On December 17, 2019, the Commission suspended the effective date for CenterPoint’s rate increase for 150 days, pursuant to Section 104.107 (Rate Suspension; Deadline) of the Gas Utility Regulatory Act (“GURA”) of the Texas Utilities Code.

From December 17, 2019 through January 13, 2020, CenterPoint timely published, in conspicuous form, notice to the public of the proposed increase once each week for four

successive weeks in a newspaper having general circulation in each county containing territory affected by the proposed increase pursuant to Tex. Utilities Code § 104.103(a).

On January 13, 2020, the municipal parties were aligned for purposes of discovery under Commission Rule (Alignment of Municipal Intervenors for Purposes of Discovery).

On January 24, 2020, the issue of rate cases expense recovery was severed and docketed as GUD No. 10937.

Intervening Parties. Intervenors in this case include the East Texas Coalition of Cities (“ETCC”), Staff of the Railroad Commission of Texas (“Staff”), the Alliance of CenterPoint Municipalities – Beaumont/East Texas Division (“ACM-B/E.Tx”), and the Cities of Beaumont and Sour Lake. The ETCC is a coalition comprised of the cities of Lindale, Tyler, Maud, Livingston, and Red Lick. The ACM-B/E.Tx includes the cities of Atlanta, Center, Crockett, Daingerfield, Jacksonville, Kilgore, Lone Star, Longview, Lufkin, Marshall, Mineola, Mount Pleasant, Nacogdoches, Rusk, and White Oak.

NOTICE IS HEREBY GIVEN THAT a public hearing will be held, at the time and place set out below, to consider all issues of fact and law raised in — or relevant to — CenterPoint’s Consolidated Requested Relief.

Legal Authority and Jurisdiction. The Commission has, or may have, jurisdiction over CenterPoint and the matters at issue in this proceeding pursuant to GURA Sections 102.001 (Railroad Commission Jurisdiction), 103.003 (Surrender of Municipal Jurisdiction to Railroad Commission; Reinstatement of Jurisdiction), 103.051 (Appeal by Party), 103.052 (Appeal by Residents), 103.053 (Appeal by Ratepayers Outside Municipality), and 104.001 (Authorization to Establish and Regulate Rates), and pursuant to GURA Sections 121.051 (Gas Utility: Public Interest and Jurisdiction of Railroad Commission), 121.052 (Pipelines: Monopolies Subject to Railroad Commission), and 121.151 (Railroad Commission Regulation of Gas Pipelines).

The presiding Administrative Law Judge (“ALJ”) shall conduct the hearing pursuant to the requirements of Chapter 2001 (Administrative Procedure) of the Texas Government Code and pursuant to Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, and other applicable authority.

Particular Statutes and Rules Involved. The statutes and rules applicable to this proceeding may include, but are not limited to, the following:

3. All sections in GURA Chapters 101 (General Provisions and Office of Public Utility Counsel), 102 (Jurisdiction and Powers of Railroad Commission and Other Regulatory Authorities), 103 (Jurisdiction and Powers of Municipality), 104 (Rates and Services), and 121 (Gas Pipelines); and
4. Title 16, Part 1 (Railroad Commission of Texas), of the Texas Administrative Code, including Chapters 1 (Practice and Procedure) and 7 (Gas Services Division).

Time, Place, and Nature of Hearing. IT IS DIRECTED that the hearing on the merits shall commence at **1:00 p.m. on Wednesday, March 4, 2020**, in the William B. Travis Building, located at 1701 North Congress Avenue, Austin, Texas. Please check with Docket Services (Room 12-123) the morning of the hearing for the room location. If the hearing is not concluded on the day it commences, the hearing will be continued from day to day, as announced, until concluded.

IT IS FURTHER DIRECTED that all parties desiring to present sworn testimony, documentary and demonstrative evidence, and argument regarding any issue of law or fact at the final hearing on the merits shall appear in person or by an attorney. For good cause shown, the ALJ may permit part of the proceeding to be conducted telephonically pursuant to Commission Rule § 1.112 (Proceedings by Telephony).

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Auxiliary Aids or Services for Persons with a Disability. Any individual with a disability who needs auxiliary aids and services to have an equal opportunity to effectively communicate and participate in the hearing must request such aids or services at least two weeks prior to the hearing by notifying the Human Resources Department of the Commission by mail at P.O. Box 12967, Austin, Texas 78711-2967 or by telephone at (512) 463-6981 or TDD No. (800) 735-2989.

Contact for Additional Information – In accordance with Tex. Gov't Code §2001.061 and 16 Tex. Admin. Code § 1.6, ex parte communications with the Administrative Law Judges, Examiners, and Commissioners are prohibited. Any persons or entities desiring additional information may contact the Commission by writing to the Director, Hearings Division, Railroad Commission of Texas, 1701 North Congress Avenue, P. O. Box 12967, Capitol Station, and Austin, Texas 78711-2967. Any persons or entities having clerical questions, such as questions regarding the number of copies of filings, the service list or reviewing the record, may contact, Docket Services, at (512) 463-6848.

Signed on January 27, 2020.

DEE MARLO CHICO
ADMINISTRATIVE LAW JUDGE

SECTION 3: STATUS OF PENDING CASES

None currently.

SECTION 4: NOTICES OF DISMISSAL

None currently.

SECTION 5: ORDERS OF THE COMMISSION

None currently.

SECTION 6: MISCELLANEOUS

A. Gas Services Department Publications and Statistics

1. Gas Utilities Information Bulletins available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-utilities-information-bulletins/>.
2. Rate Review Handbook available at <http://www.rrc.state.tx.us/media/41964/rate-review-handbook-2017.pdf>.
3. Gas Utilities Annual Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/2017-gas-utility-annual-statistical-reports/>.
4. Gas Storage Statistics available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/gas-storage-statistics/>.
5. Six MCF Residential Gas Bill Analysis for Texas Cities available at <http://www.rrc.state.tx.us/gas-services/publications-statistics/six-mcf-report/>.

B. Interest Rate on Customer Deposits

1. We have been advised by the Public Utility Commission of Texas that the interest rate to be applied to customer deposits in calendar year 2018 is 0.91%. All gas utilities should use 0.42% for the calendar year 2017 and 0.11% for calendar year 2016. This information can be found at: <https://www.puc.texas.gov/industry/electric/reports/HRates/HistRates.pdf>

C. Contact Information

1. **Audit Section's Headquarter and District Offices:**

Headquarter Location:
William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701

Mailing Address:
P. O. Box 12967
Austin, Texas 78711
Telephone 512-463-7167
Fax 512-475-3180

Austin District:

Stephen Cooper, Director, Utility Audit Section
Janeen Metcalf, Compliance Analyst II
Mary Anderson, Compliance Analyst
Telephone: 512-463-7022

Fort Worth District:

City Hall 13th Street Annex
401 West 13th Street, Suite B

Josh Settle, Senior Auditor
Yolandra Davis, Senior Auditor
Telephone: 817-882-8966

Houston District:

1706 Seamist Drive, Suite 50
Houston, Texas 77008

Margie Stoney, Project Auditor
Larry Alcorn, Auditor
Dale Francis, Senior Auditor
Konata Uzoma, Senior Auditor
Vonetta Jackson, Auditor
Telephone: 713-869-8425

2. **Market Oversight Section**

William B. Travis Building
1701 North Congress Avenue
Austin, Texas 78701

Mailing Address:

P. O. Box 12967
Austin, Texas 78711

Mark Evarts, Director
Amy Bruce, Financial Analyst
Christina Poole, Financial Analyst
Claudia Godoy, Financial Analyst
Frank Tomicek, Financial Analyst
Sarah Montoya-Foglesong, Financial Analyst
Andrea Maxwell, Research Specialist II Team Lead
Erik Gardner, Customer Service Representative IV
Janet Sims, Customer Service Representative IV
Sheila Mendoza, Research Specialist
Telephone: 512-463-7167

D. Audit Forms

1. Gas Utility Tax and Annual Forms available at <http://www.rrc.state.tx.us/gas-services/forms/>.
2. Copies of Gas Utility Annual Reports available on Neibus at: <https://rrcsearch3.neibus.com/esd3-rrc/index.php?module=esd&action=keysearch&profile=13>.
3. Information relating to any of the above, are available for review at the William B. Travis Building, Gas Services Department, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of ten business days for completion of requests.

4. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022 or fax your request to 512-475-3180.

E. Market Oversight Section Forms

1. Annual Earnings and Monitoring Report available at <http://www.rrc.texas.gov/media/6085/annualearningsmonitoringreport.pdf>
2. Interim Cost Recovery and Rate Adjustment Report available at <http://www.rrc.texas.gov/media/6084/newinfrastructure.pdf>.

F. Gas Utility Docket Information

1. Orders and Proposals for Decision published on the Commission's web site at: <http://www.rrc.texas.gov/hearings/dockets/gas-utility-dockets/>
2. Gas Utility Dockets available on Neabus at <https://rrcsearch3.neabus.com/esd3-rrc/index.php?module=esd&action=keysearch&profile=14>.

G. Natural Gas Tariff Filings

1. Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Andrea Maxwell, Janet Sims, Sheila Mendoza or Virgie Frausto at (512) 463-7167.
2. Natural Gas Tariffs and Rate Schedules available at <http://www.rrc.texas.gov/gas-services/natural-gas-tariffs-and-rate-schedules/>.

H. Common Carrier Pipeline Tariff Filings

1. Questions pertaining to the filing of common carrier pipeline tariffs should be directed to Sheila Mendoza at 512-463-7023.
2. Common Carrier Pipeline Tariffs available at <http://www.rrc.texas.gov/gas-services/common-carrier-pipeline-tariffs/>.

I. Propane Distribution Systems

1. Propane distribution price cap information is available at: <http://www.rrc.texas.gov/gas-services/propane-distribution-systems/>.

J. Curtailment Plan (Gas Utility Docket 489)

1. Curtailment questions should be referred to 512-463-7167 or by email at naturalgascurtailment@rrc.texas.gov.
2. Curtailment reports made during normal business hours, Monday through Friday 8:00 a.m. to 5:00 p.m., should be made to 512-463-7167.
3. Curtailment reports made after hours or during holidays, should be made to 512-463-6788.

K. Compliance Filings

1. Questions regarding gas utilities docket compliance filing requirements should be referred to Christina Poole at 512-463-7167 or by email at GUD_Compliance@rrc.texas.gov.

L. Complaints and Inquiries

1. Residential and Commercial Propane and Natural Gas Complaints should be made at GasComplaints@rrc.texas.gov or by phone at 512-463-7167.
2. Informal Gas Purchasing, Selling, Transportation or Gathering Practice Complaints should be submitted online at <http://www.rrc.texas.gov/gas-services/complaint-filing/informal-gas-transportation-purchase-complaint-preliminary-information-online-form/> or at 512-463-7167.
3. Informal Complaint Preliminary Information form available at <http://www.rrc.texas.gov/media/5671/informal-complaint-preliminary-information.pdf>.

M. Non-Submetered Master Meter Disconnections

1. Municipalities wishing to opt in receiving notice from utilities when non-submetered master metered multifamily property is subject to disconnection of service due to non-payment can do so at <http://www.rrc.texas.gov/gas-services/non-submetered-master-meter-disconnections/>.

N. Texas Utilities Codes

1. Available through the State of Texas website at <http://www.statutes.legis.state.tx.us>.

O. Texas Administrative Codes

1. Available at the State of Texas website at:
[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=16&pt=1&ch=7).

P. Pending RRC Rules and Regulations

1. Pending rules and regulations available at <http://www.rrc.state.tx.us/general-counsel/rules/>.

Q. Proposed Form Amendments (PFD):

1. PFDs available at <http://www.rrc.state.tx.us/about-us/resource-center/forms/proposed-form-changes/>.

R. Hearings and Legal Analysis

1. Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the General Counsel Division at 512-463-7149.

S. Status of Pending Cases

1. The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the General Counsel Division at 512-463-7149.